



DEP 3 REF

2005 DEC 14 Fri 5: 52

Docket No.: 1152-0295P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takeshi MAKIYAMA et al.

Application No.: 10/728,866

Confirmation No.: 001179

Filed: December 8, 2003

Art Unit: 2621

For: DECODING APPARATUS USING TOOL
INFORMATION FOR CONSTRUCTING A
DECODING ALGORITHM

Examiner: I. I. Sherali

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of December 2005 for the above-identified

☒ application

☐ patent

☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

BEST AVAILABLE COPY

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II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND <u>REQUESTED</u>
<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> search fee	_____
<input type="checkbox"/> examination fee	_____
<input type="checkbox"/> surcharge for filing the basic filing on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input checked="" type="checkbox"/> excess claims	<u>674.00</u>
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____

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<input type="checkbox"/>	patent maintenance fee	_____
<input type="checkbox"/>	first maintenance fee	_____
<input type="checkbox"/>	second maintenance fee	_____
<input type="checkbox"/>	third maintenance fee	_____
<input type="checkbox"/>	patent maintenance fee surcharge	_____
<input type="checkbox"/>	Other:	_____

TOTAL REFUND REQUESTED

674.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Claims 22 and 23 were pending in this application. In an amendment filed with an RCE on November 7, 2005, claims 22 and 23 were cancelled, and claims 24-33 were added. The total number of claims after this amendment is 10 with 2 independent and no multiple dependent claims. We have previously paid for a total of 20 claims and 3 independent claims. Because the claim count has not exceeded the number of claims paid for, these charges are improper and a refund of these fees is hereby requested.

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IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Dated: DEC 19 2005

Respectfully submitted,

By  #19392

Charles Gorenstein

Registration No.: 29,271

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

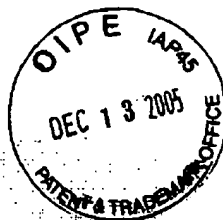
(703) 205-8000

Attorney for Applicant

Attachment(s)



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested
Statement

Month: Dec-05
Deposit

Account
Number: 22448

Name: BIRCH STEWART
KOLASCH & BIRCH

Attention: 8110 GATEHOUSE
ROAD

Address:

City: FALLS CHURCH

State: VA

Zip: 22042

Country: UNITED STATES OF
AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
1-Dec	1	10009603 0475-0198P		1201	\$200.00	\$11,013.00
1-Dec	3	10211523 085747-0235		1253	\$120.00	\$10,893.00
1-Dec	3	9624076 2907-102P		2402	\$250.00	\$10,643.00
1-Dec	4	9624076 2907-102P 4518-		2251	\$60.00	\$10,583.00
1-Dec	14	10515146 0105PUS1 3449-		8021	\$40.00	\$10,543.00
1-Dec	35	10534489 0477PUS1 2750-		1614	\$800.00	\$9,743.00
1-Dec	77	11174307 1601PUS2 2750-		8021	\$40.00	\$9,703.00
1-Dec	81	11172740 1602PUS2		8021	\$40.00	\$9,663.00
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1-Dec	660	10558166 0112PUS1 4518-		2615	\$125.00	\$10,243.00
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2-Dec	38	11231895 3493-	9204	(\$500.00)	\$9,443.00
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6-Dec	224	2298555 0365-0346T 0020-	7208	\$200.00	\$18,620.00
6-Dec	245	11187869 5404PUS1 0033-	1081	\$200.00	\$18,420.00
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7-Dec	40	164460655 2360-0328P		8023	\$40.00	\$18,515.00
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8-Dec	523	799786 0166US1		7205	\$100.00	\$16,011.00
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9-Dec	36	60645051 0129PUS1		8007	\$40.00	\$15,671.00

START	SUM OF	SUM OF	END
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\$11,213.00	\$16,714.00	\$21,172.00	\$15,871.00

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